

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

**SECRETARY OF LABOR
HILDA L. SOLIS**

Case No. 3:12-cv-250

Plaintiff,

-vs-

Judge Walter H. Rice

GARY L. MERRITT, et. al.

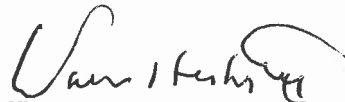
Defendant.

ORDER

Service within 120 days of filing: This action was filed July 27, 2012 as of the date of this Order, Plaintiff has filed neither a waiver of service nor proof of service on Defendant.

Plaintiff is reminded that Fed. R. Civ. P. 4(m) requires the Court to dismiss an action in which service is not made within 120 days of filing the Complaint. Plaintiff's time for filing proof of service or waiver expires November 24, 2012. Unless proof of service is filed by that date, the Court will dismiss the Defendant from this action for lack of service of process.

DONE and ORDERED in Dayton, Ohio, this 31st day of October, 2012.



WALTER H. RICE, JUDGE
UNITED STATES DISTRICT COURT